

AUTO CR - LOG SUMMARY #1071212

TYPE: INFO

Incident Finding / Overall Case Finding

Description of Incident	Finding	Entered By	Entered Date
	(None Entered)		

Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
CPD Employee	Reporting Party Third Party	O BRIEN, THOMAS J	115		050 /	LIEUTENANT OF POLICE	M	WHI		
NON-CPD	Reporting Party Third Party						M	WHI		

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
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Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	CHMIEL, JAMES			050 /	POLICE OFFICER	OFF Duty	The reporting party/third party alleged that the accused officer was being investigated by the Wilmette Police Department for inappropriate conduct while off-duty.

Other Involved Parties

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Victim/Subject						F	WHI		
NON-CPD	Victim/Subject						F	WHI		
NON-CPD	Victim/Subject						F	WHI		
NON-CPD	Victim/Subject						F	WHI		

Involved Party Associations

Role	Rep. Party Name	Related Person	Relationship
Reporting Party Third Party	O BRIEN, THOMAS J		NO RELATIONSHIP
Reporting Party Third Party	O BRIEN, THOMAS J		NO RELATIONSHIP
Reporting Party Third Party	O BRIEN, THOMAS J		NO RELATIONSHIP
Reporting Party Third Party			NO RELATIONSHIP
Reporting Party Third Party	O BRIEN, THOMAS J	CHMIEL, JAMES	NO RELATIONSHIP

Incident Details

CR Required?		Manner Incident Received?	PAX
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N	Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Civil Suit Settled Date:	
Notify Chief Administrator?	N	Notify Chief?	
Notify Coordinator?		Notification Does Not Apply?	Y
Notification Other?	N		

Notification Comments:**Incident Category List**

Incident Category	Primary?	Initial?
09Z - GROUP 09 - CONDUCT UNBECOMING VIOLATIONS (OFF DUTY) MISCELLANEOUS		N
09Z - GROUP 09 - CONDUCT UNBECOMING VIOLATIONS (OFF DUTY) MISCELLANEOUS	Y	Y

Investigator History

Investigator	Type	Assigned Team	Assigned Date	Scheduled End Date	Investigation End Date	No. of Days
PARKER, MICHAEL	Primary	GENERAL INVESTIGATION SECTION	28-AUG-2014	26-DEC-2014	27-OCT-2014	60
STEHLIK, JOSEPH	Supervisor	GENERAL INVESTIGATION SECTION	28-AUG-2014	27-SEP-2014	27-OCT-2014	

Extension History

Name	Previous Scheduled End Date	Extended Scheduled End Date	Date Certified Letter Sent	Reason Selected	Explanation	Extension Report Date	Approved By	Approved Date	Approval Comments
PARKER, MICHAEL	26-NOV-2014	26-DEC-2014		OTHER (DESCRIBE)	Waiting for Fitness for Duty Evaluation from Human Resources	27-OCT-2014	STEHLIK, JOSEPH	27-OCT-2014	Submitted incorrectly Case submitted on 27 Oct 14 for approval.
PARKER, MICHAEL	27-OCT-2014	26-NOV-2014		OTHER (DESCRIBE)	Waiting for Fitness for Duty Evaluation from Human Resources	27-OCT-2014	STEHLIK, JOSEPH	27-OCT-2014	OK
PARKER, MICHAEL	27-SEP-2014	27-OCT-2014		COMPLAINANT /WITNESS UNAVAIL. FOR INTERVIEW (NAME,REASON)	Reporting Sergeant was waiting on an un-redacted report from the Wilmette Police Dept that included the names of the victims.	29-SEP-2014	STEHLIK, JOSEPH	29-SEP-2014	OK

Current Allegations

Accused Name	Seq. No.	Allegation	Category	Subcategory	Finding
CHMIEL, JAMES	1	It is alleged by Lieutenant Thomas O'Brien that on 20 Aug 2014 at 1905 hours a [REDACTED] located at [REDACTED] off duty police officer, James Chmiel, indulged in inappropriate conduct in that he deliberately exposed himself to victims [REDACTED] while standing naked in an open doorway in the men's public bathroom.	009 GROUP 09 - CONDUCT UNBECOMING VIOLATIONS (OFF DUTY)	MISCELLANEOUS	NO AFFIDAVIT

Situations (Allegation Details)

Accused Name	Alleg. No.	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
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Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	27-OCT-2014 02:09	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	27-OCT-2014 02:09	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	27-OCT-2014 10:23	PARKER, MICHAEL	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATION	28-AUG-2014 10:38	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	27-AUG-2014 12:56	DUNN, BRENDA	SERGEANT OF POLICE	121 /	
PENDING APPROVE TEAM	27-AUG-2014 11:30	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	26-AUG-2014 07:51	DEAN, BRUCE	SUPERVISING INV COPA	113 /	
PENDING SUPERVISOR REVIEW	26-AUG-2014 07:37	LUKAS, JAMES	INVESTIGATOR 3 COPA	113 /	
PRELIMINARY	26-AUG-2014 05:29	LUKAS, JAMES	INVESTIGATOR 3 COPA	113 /	

Status History

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	FACE SHEET					LUKAS, JAMES	26-AUG-2014 05:29			
1	INVESTIGATION					PARKER, MICHAEL	28-AUG-2014 10:49			
2	CONFLICT CERTIFICATION					PARKER, MICHAEL	28-AUG-2014 10:49			
4	DOCUMENTS - INTAKE INCIDENT		5	From Lt. O'Brien, #795 Unit 050; includes redacted Wilmette PD report	N	LUKAS, JAMES	26-AUG-2014 07:30	APPROVED		
5	DOCUMENTS - INVESTIGATION		2	To/From from Commander Argenbright and Officer Chmiel	Y	PARKER, MICHAEL	19-SEP-2014 09:11	APPROVED		
6	DOCUMENTS - INVESTIGATION		4	Wilmette Police Dept Case Report	N	PARKER, MICHAEL	19-SEP-2014 08:35	APPROVED		
7	DOCUMENTS - INVESTIGATION		1	Wilmette Park District Letter to Officer Chmiel	N	PARKER, MICHAEL	19-SEP-2014 08:42	APPROVED		
8	DOCUMENTS - INVESTIGATION		2	Telephone Contact/Attempt to Contact	Y	PARKER, MICHAEL	29-SEP-2014 09:27	APPROVED		
9	DOCUMENTS - INVESTIGATION		8	Certified Letters to Victims	N	PARKER, MICHAEL	22-SEP-2014 10:32	APPROVED		
10	DOCUMENTS - INVESTIGATION		4	USPS Track and Confirm	N	PARKER, MICHAEL	02-OCT-2014 10:22	APPROVED		
11	DOCUMENTS - INVESTIGATION		1	Request for Fitness for Duty from Sgt Parker	Y	PARKER, MICHAEL	27-OCT-2014 09:43	APPROVED		
12	DOCUMENTS - INVESTIGATION		1	Request for Fitness for Duty To/From from Chief Rivera	Y	PARKER, MICHAEL	27-OCT-2014 09:44	APPROVED		
13	DOCUMENTS - INVESTIGATION		1	Request for Fitness for Duty from Sergeant Parker	Y	PARKER, MICHAEL	27-OCT-2014 09:45	APPROVED		
	DOCUMENTS - INVESTIGATION		7	Summary Report Closing Package	Y	PARKER, MICHAEL	27-OCT-2014 10:22	APPROVED		

Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
LIEUTENANT REVIEW		SUBMITTED	STEHLIK, JOSEPH	SERGEANT OF POLICE	121	27-OCT-2014 02:09	
SERGEANT REVIEW		SUBMITTED	STEHLIK, JOSEPH	SERGEANT OF POLICE	121	27-OCT-2014 02:09	

Review Accused

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
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Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
CHMIEL, JAMES	1. It is alleged by Lieutenant Thomas O'Brien that on 20 Aug 20...	PARKER, MICHAEL	27-OCT-2014 10:23			NO AFFIDAVIT	

Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
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Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
CHMIEL, JAMES	It is alleged by Lieutenant Thomas O'Brien that on 20 Aug 2014 at 1905 hours a [REDACTED] located a [REDACTED] off duty police officer, James Chmiel, indulged in inappropriate conduct in that he deliberately exposed himself to victims [REDACTED] while standing naked in an open doorway in the men's public bathroom.	009 GROUP 09 - CONDUCT UNBECOMING VIOLATIONS (OFF DUTY)		NO AFFIDAVIT	

FACE SHEET (Notification Date: 26-AUG-2014) - LOG #1071212

TYPE: INFO

Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
CPD Employee	Reporting Party Third Party	O BRIEN, THOMAS J	115		050 /	LIEUTENANT OF POLICE	M	WHI		

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
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Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	CHMIEL, JAMES			050 /	POLICE OFFICER	OFF Duty	The reporting party/third party alleged that the accused officer was being investigated by the Wilmette Police Department for inappropriate conduct while off-duty.

Incident Details

CR Required?		Manner Incident Received?	PAX
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N		
Motor Vehicle (V)?		Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Notify Chief?	
Notify Chief Administrator?	N	Notification Does Not Apply?	Y
Notify Coordinator?			
Notification Other?	N		

Initial Incident Category List

Initial Incident Category	Primary?
09Z - GROUP 09 - CONDUCT UNBECOMING VIOLATIONS (OFF DUTY) MISCELLANEOUS	
09Z - GROUP 09 - CONDUCT UNBECOMING VIOLATIONS (OFF DUTY) MISCELLANEOUS	Y

Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	GENERAL INVESTIGATION SECTION	STEHLIK, JOSEPH (SUPERVISOR)	28-AUG-2014 10:38	O KELLY, PATRICK	
IAD	GENERAL INVESTIGATION SECTION	PARKER, MICHAEL (PRIMARY INV)	28-AUG-2014 10:38	O KELLY, PATRICK	
IAD	GENERAL INVESTIGATION SECTION	-	27-AUG-2014 11:30	WATSON, JOHN	
IAD	INTERNAL AFFAIRS DIVISION	-	26-AUG-2014 17:29	LUKAS, JAMES	

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	27-OCT-2014 02:09	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	27-OCT-2014 02:09	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	27-OCT-2014 10:23	PARKER, MICHAEL	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATION	28-AUG-2014 10:38	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
PENDING ASSIGN INVESTIGATOR	27-AUG-2014 12:56	DUNN, BRENDA	SERGEANT OF POLICE	121 /	
PENDING APPROVE TEAM	27-AUG-2014 11:30	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	26-AUG-2014 07:51	DEAN, BRUCE	SUPERVISING INV COPA	113 /	
PENDING SUPERVISOR REVIEW	26-AUG-2014 07:37	LUKAS, JAMES	INVESTIGATOR 3 COPA	113 /	
PRELIMINARY	26-AUG-2014 05:29	LUKAS, JAMES	INVESTIGATOR 3 COPA	113 /	

**BUREAU OF PATROL
Special Functions Division
Airport Law Enforcement Section**

26 August 2014

TO: Thomas W. Argenbright
Commander
Airport Law Enforcement Section

FROM: Thomas J. O'Brien #795
Lieutenant
Airport Law Enforcement

SUBJECT: Inappropriate Conduct while off duty in Wilmette, IL.
Complaint Log #1071212

Accused: Officer James Chmiel #13198

Allegation: Inappropriate Conduct while Off Duty

Complainant: Lieutenant Thomas J. O'Brien #795 Unit 050

**Date&Time
of Incident:** 20 August 2014 1905 hrs.

Notified: IPRA Investigator Lukas #117

The above officer was being investigated by the Wilmette Police Department for an incident at [REDACTED] which occurred on 20 Aug. 14 at 1905 hrs for inappropriate conduct while off duty, Ref: ORI #IL0162, case [REDACTED]



Thomas J. O'Brien
Lieutenant
Airport Law Enforcement

Case Report Summary

Print Date/Time: 08/25/2014 12:52

Login ID: [REDACTED]

Case Number: [REDACTED]

WILMETTE POLICE DEPT

ORI Number: [REDACTED]

Case

Case Number: [REDACTED]

Location: [REDACTED]

Reporting Officer ID: 782 - CAVANAGH

Incident Type: Disorderly Conduct

Occurred From: 08/20/2014 19:05

Occurred Thru: 08/20/2014 19:45

Disposition:

Disposition Date:

Reported Date: 08/20/2014 19:37 Wednesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description
1	State	1570	720 ILCS 5/11-9a2	PUBLIC INDECENCY Lowd exposure 17+
2	ILD162C00	7325	12-4-1	Disorderly Conduct (Court Date)

Subjects

Type	No.	Name	Address	Phone	Race	Sex
Complainant	1	[REDACTED]	[REDACTED]		W	M
Other Person	1	[REDACTED]	[REDACTED]		W	F
Suspect/Offender	1	Chmiel, James M	[REDACTED]		W	M
Victim	1	[REDACTED]	[REDACTED]		W	F
Victim	2	[REDACTED]	[REDACTED]		W	F

Arrests

Arrest No.	Name	Address	Date/Time	Type
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Property

Date	Code	Type	Make	Model	Description	1
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate
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OfficerID: Cavanaghc, Case Narrative 8/20/14

On 08/20/2014 at 7:37PM while on foot patrol at [REDACTED]

stopped by complainant, [REDACTED], who related the following:

At 7:05PM [REDACTED] a security employee, arrived at the beach house and spoke with the following

Case Report Summary

Print Date/Time: 08/25/2014 12:52

Login ID: [REDACTED]

Case Number: [REDACTED]

WILMETTE POLICE DEPT

ORI Number: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] said the four female employees (lifeguards) complained that an unknown male was standing in the men's public bathroom across from the beach house desk. They told [REDACTED] he was standing in a place where he was able to be seen easily, and was staring for long periods of time making them feel uncomfortable.

The unknown male was pointed out to [REDACTED] as he was leaving. He then followed the male to his car and took down his license plate. [REDACTED] provided me with the Illinois Registration, [REDACTED] which is the following individual:

CHMIEL, James M.

MW, DOB: [REDACTED]

TX: [REDACTED]

On 08/20/2014 the four female employees were unable to be reached.

On 08/21/2014 at approximately 1:00PM I met with [REDACTED] and [REDACTED] at [REDACTED] to follow up on the incident.

[REDACTED] related the following in summary, unless indicated by quotations:

[REDACTED] has seen the unknown male in question several times over the last few years and stated he comes to the beach approximately 5 times a year. [REDACTED] stated she has felt uncomfortable in his presence before several employees have talked about him for years and commonly refer to him as [REDACTED]. He is known for how he dresses and how he commonly stares at the female lifeguards. [REDACTED] said on 08/20/2014 at aro saw [REDACTED] walk into the men's restroom adjacent from the beach house desk. When speaking with other employees she looked over towards the restroom and noticed him standing nude facing her. [REDACTED] stated it was at first thought it was possible he didn't know people could see him. She later looked over and he was again [REDACTED]

Case Report

Summary

Print Date/Time: 08/25/2014 12:52

WILMETTE POLICE DEPT

Login ID: [REDACTED]

ORI Number: [REDACTED]

Case Number: [REDACTED]

contact with them individually. [REDACTED] described the behavior as creepy, and she felt very uncomfortable time she notified [REDACTED] of the situation.

I then spoke with [REDACTED] who related the following in summary, unless indicated by quotations:

[REDACTED] related she was seated in the desk chair at the beach house. She noticed the male when she looked right and saw he was completely naked. [REDACTED] said she could tell the male subject knew everyone could because of the placement he was standing in the bathroom. [REDACTED] knows of the subject because she has about him in the past. She thought at one time the subject was touching his chest in a sexually suggestive manner never touched his penis or made any other sexually suggestive movements. [REDACTED] stated she knew he was in the bathroom for a long time because she had completed one half hour rotation on the beach lifeguard chair and was naked in the bathroom when she returned. [REDACTED] also said she felt very uncomfortable when the man was at the beach house several times staring at her.

At approximately 2:00PM on 08/21/2014 I obtained an IL Driver's license photo of CHMIEL and showed the photo to [REDACTED]. She positively identified CHMIEL as being the subject in question.

On 08/22/2014 at 6:30PM I met with [REDACTED] at the Wilmette Police Department who related the following information:

[REDACTED] related that she also observed the male subject standing naked in the men's bathroom for a long period of time. [REDACTED] has heard stories about the man, but had never seen him before. [REDACTED] said she felt uncomfortable when the man was standing naked staring into the beach house. She then felt even more uncomfortable when he was staring at her and her friends.

At 6:39PM [REDACTED] signed a Wilmette Police Department Photo spread advisory form. She then looked at a Police Department photo line-up of six individually photographed white males. [REDACTED] positively identified position number four.

At 6:55PM on 08/22/2014 I again met with [REDACTED]. [REDACTED] signed a Wilmette Police Department Photo spread advisory form. She then looked at a Wilmette Police Department photo line-up of six individually photographed white males. [REDACTED] did not positively identify CHMIEL.

At this time [REDACTED] was unable to be reached for questioning.

On 08/22/2014 at 10:25PM I met with CHMIEL at the Wilmette Police Department.

At 10:31PM CHMIEL was read his Miranda Warnings from a preprinted form. He indicated that he understood and waived his rights verbally and by signing the preprinted form. CHMIEL related the following in summary indicated by quotation:

CHMIEL stated he went to [REDACTED] on Wednesday August, 20th. He first went to [REDACTED] for a few hours in the early evening to relax. He was planning on going to the library near his home afterwards, but took a shower before driving home. CHMIEL decided to go to [REDACTED] because he knew they had a bathroom. CHMIEL said he was only in the bathroom for 10 minutes and changed after his shower. He stated the door to the bathroom and it was possible people could have seen him naked. He did not intend to make it easier for anyone to see him. CHMIEL stated he did in fact walk around the beach house several times after changing. He stated he was "observing" and was only enjoying the beach. CHMIEL stated he has come to [REDACTED] for several years.

Case Report

Summary

Print Date/Time: 08/25/2014 12:52

Login ID: [REDACTED]

Case Number: [REDACTED]

WILMETTE POLICE DEPT

ORI Number: [REDACTED]

girls like any other guy when he visits the beach. CHMIEL admitted [REDACTED] beaches are not close to his re he likes to attend them because he is a [REDACTED] Graduate and likes the area.

During the conversation CHMIEL was extremely nervous, his hands were shaking, he was self grooming his had a closed off body posture.

I then verbally gave CHMIEL notification that he is not to return to any [REDACTED] supported beac or activities for the period of one year. He was also notified that he would have the opportunity to appeal the order. CHMIEL stated he was embarrassed for the situation and would not return.

At approximately 11:15PM CHMIEL left the Wilmette Police Department without charges. Original Miranda fi photo-line up forms were submitted with this report.

Case closed.

RWOC

Routing:

**BUREAU OF PATROL
Special Functions Division
Airport Law Enforcement Section**

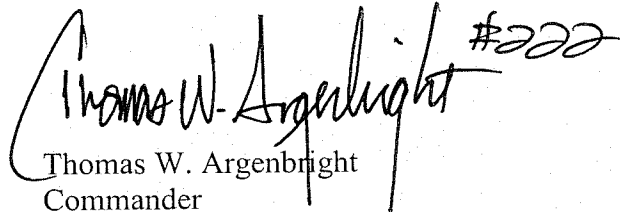
26 August 2014

TO: Juan J. Rivera
Chief
Bureau of Internal Affairs

FROM: Thomas W. Argenbright
Commander
Airport Law Enforcement Section

**SUBJECT: OFFICER INVESTIGATION INVOLVING AN OUTSIDE LAW
ENFORCEMENT AGENCY**

The undersigned respectfully submits the attached case report received from the Wilmette Police Department regarding P.O. James Chmiel #13198, an officer under my Command. The report alleges that P.O. Chmiel was under investigation for Public Indecency at [REDACTED] in [REDACTED] P.O. Chmiel was released without charging at this time; however, he has been banned from the [REDACTED] District for the period of one year. Additionally attached is a To-From report submitted by P.O. Chmiel regarding said allegation.


Thomas W. Argenbright
Commander
Airport Law Enforcement Section

UNIT 050

24 AUGUST 2014

TO: COMMANDER T. ARGENBRIGHT

FROM: P.O. JAMES M CHMIEL #13198

SUBJECT: R/O's INVOLVEMENT WITH OUTSIDE LAW ENFORCEMENT
AGENCY'S INVESTIGATION

1. THIS STATEMENT IS NOT BEING GIVEN VOLUNTARILY, BUT UNDER DURESS. I AM ONLY GIVING THIS STATEMENT AT THIS TIME BECAUSE I KNOW THAT I COULD LOSE MY JOB IF I REFUSE THE DIRECT ORDER BEING GIVEN TO ME BY SGT. PAT CONROY. THIS TO/FROM REPORT SHOULD NOT BE CONSIDERED A VERBATIM STATEMENT BUT ONLY A SUMMARY OF REQUESTED INFORMATION.

2. R/O IS WRITING THIS REPORT TO INFORM HIS SUPERVISORS OF R/O's INVOLVEMENT WITH THE WILMETTE ILLINOIS POLICE DEPARTMENT'S INVESTIGATION OF AN INCIDENT WITH OCCURRED ON 20 AUGUST 2014 AT [REDACTED]

James M. Chmiel 13198
JAMES M. CHMIEL

APPROVED:

[Signature] #2646
Thomas W. Argenbright #222

Case Report

Summary

Print Date/Time: 08/25/2014 12:52
 Login ID: [REDACTED]
 Case Number: [REDACTED]

WILMETTE POLICE DEPT
 ORI Number: [REDACTED]

Case

Case Number: [REDACTED]
 Location: [REDACTED]
 Reporting Officer ID: 782 - CAVANAGH

Incident Type: Disorderly Conduct
 Occurred From: 08/20/2014 19:05
 Occurred Thru: 08/20/2014 19:45
 Disposition:
 Disposition Date:
 Reported Date: 08/20/2014 19:37 Wednesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1570	720 ILCS 5/11-9a2	PUBLIC INDECENCY:Lewd exposure-17+	1
2	IL0162C00	7325	12-4.1	Disorderly Conduct (Court Date)	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Complainant	1	[REDACTED]	[REDACTED]		W	M	[REDACTED] 52
Other Person	1	[REDACTED]	[REDACTED]		W	F	[REDACTED] 18
Suspect/Offender	1	Chmiel, James M	[REDACTED]		W	M	[REDACTED] 50
Victim	1	[REDACTED]	[REDACTED]		W	F	[REDACTED] 32
Victim	2	[REDACTED]	[REDACTED]		W	F	[REDACTED] 18

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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OfficerID: Cavanaghc, Case Narrative 8/20/14

On 08/20/2014 at 7:37PM while on foot patrol at [REDACTED] I was stopped by complainant, [REDACTED] who related the following:

At 7:05PM SCHACHERER, a security employee, arrived at the beach house and spoke with the following four female employees:

[REDACTED]

Case Report

Summary

Print Date/Time: 08/25/2014 12:52

Login ID: [REDACTED]

Case Number: [REDACTED]

TX: [REDACTED]

TX: [REDACTED]

WILMETTE POLICE DEPT

ORI Number: [REDACTED]

[REDACTED] said the four female employees (lifeguards) complained that an unknown male was standing naked in the men's public bathroom across from the beach house desk. They told [REDACTED] he was standing in a place where he was able to be seen easily, and was staring for long periods of time making them feel uncomfortable.

The unknown male was pointed out to [REDACTED] as he was leaving. He then followed the male to his vehicle and took down his license plate. [REDACTED] provided me with the Illinois Registration, [REDACTED] which is registered to the following individual:

CHMIEL, James M.

On 08/20/2014 the four female employees were unable to be reached.

On 08/21/2014 at approximately 1:00PM I met with [REDACTED] and [REDACTED] at [REDACTED] to follow up on the incident.

[REDACTED] related the following in summary, unless indicated by quotations:

[REDACTED] is the manager and is in charge of scheduling for the lifeguards as well as other responsibilities. [REDACTED] has seen the unknown male in question several times over the last few years and stated he comes to the beach approximately 5 times a year. [REDACTED] stated she has felt uncomfortable in his presence before. She said several employees have talked about him for years and commonly refer to him as, [REDACTED]. He is known for the way he dresses and how he commonly stares at the female lifeguards. [REDACTED] said on 08/20/2014 at around 6:35 she saw [REDACTED] walk into the men's restroom adjacent from the beach house desk. When speaking with other lifeguards she looked over towards the restroom and noticed him standing nude facing her. [REDACTED] stated it was strange, but at first thought it was possible he didn't know people could see him. She later looked over and he was again standing in the same place and was looking directly at her. [REDACTED] noted the male was in the restroom in the same space, occasionally looking in her direction, for over 30 minutes. At approximately 7:00PM [REDACTED] watched the male leave the restroom. He then proceeded to walk around the beach house three times staring at the girls and making eye

Case Report

Summary

Print Date/Time: 08/25/2014 12:52

Login ID: [REDACTED]

Case Number: [REDACTED]

WILMETTE POLICE DEPT

ORI Number: [REDACTED]

contact with them individually. [REDACTED] described the behavior as creepy, and she felt very uncomfortable. At that time she notified [REDACTED] of the situation.

I then spoke with [REDACTED] who related the following in summary, unless indicated by quotations:

[REDACTED] related she was seated in the desk chair at the beach house. She noticed the male when she looked over to her right and saw he was completely naked. [REDACTED] said she could tell the male subject knew everyone could see him because of the placement he was standing in the bathroom. [REDACTED] knows of the subject because she has heard stories about him in the past. She thought at one time the subject was touching his chest in a sexually suggestive manner, but never touched his penis or made any other sexually suggestive movements. [REDACTED] stated she knew he was in the bathroom for a long time because she had completed one half hour rotation on the beach lifeguard chair and he was still naked in the bathroom when she returned. [REDACTED] also said she felt very uncomfortable when the man walked around the beach house several times staring at her.

At approximately 2:00PM on 08/21/2014 I obtained an IL. Driver's license photo of CHMIEL and showed the photograph to [REDACTED]. She positively identified CHMIEL as being the subject in question.

On 08/22/2014 at 6:30PM I met with [REDACTED] at the Wilmette Police Department who related the following in summary:

[REDACTED] related that she also observed the male subject standing naked in the men's bathroom for a long period of time. [REDACTED] has heard stories about the man, but had never seen him before. [REDACTED] said she felt uncomfortable after the man was standing naked staring into the beach house. She then felt even more uncomfortable when he walked around staring at her and her friends.

At 6:39PM [REDACTED] signed a Wilmette Police Department Photo spread advisory form. She then looked at a Wilmette Police Department photo line-up of six individually photographed white males. [REDACTED] positively identified CHMIEL in position number four.

At 6:55PM on 08/22/2014 I again met with [REDACTED] signed a Wilmette Police Department Photo spread advisory form. She then looked at a Wilmette Police Department photo line-up of six individually photographed white males. [REDACTED] did not positively identify CHMIEL.

At this time [REDACTED] was unable to be reached for questioning.

On 08/22/2014 at 10:25PM I met with CHMIEL at the Wilmette Police Department.

At 10:31PM CHMIEL was read his Miranda Warnings from a preprinted form. He indicated that he understood his rights and waived his rights verbally and by signing the preprinted form. CHMIEL related the following in summary unless indicated by quotation:

CHMIEL stated he went to [REDACTED] on Wednesday August, 20th. He first went to [REDACTED] Beach for a few hours in the early evening to relax. He was planning on going to the library near his home afterwards, but wanted to shower before driving home. CHMIEL decided to go to [REDACTED] because he knew they had a shower. CHMIEL said he was only in the bathroom for 10 minutes and changed after his shower. He stated the door was open to the bathroom and it was possible people could have seen him naked. He did not intend to make it easier for anyone to see him. CHMIEL stated he did in fact walk around the beach house several times after changing. He stated he is "observant" and was only enjoying the beach. CHMIEL stated he has come to [REDACTED] for several years for the beach. He did not know of any reason people should feel uncomfortable around him. He did admit that he wears short shorts and a Speedo suit that could make some uncomfortable. When he was asked if he uses his cell phone or any other cameras to take photographs at the beach he replied, "not that day." CHMIEL says he is a male and likes to look at

Case Report

Summary

Print Date/Time: 08/25/2014 12:52

Login ID: [REDACTED]

Case Number: [REDACTED]

WILMETTE POLICE DEPT

ORI Number: [REDACTED]

girls like any other guy when he visits the beach. CHMIEL admitted Wilmette beaches are not close to his residence, but he likes to attend them because he is [REDACTED] Graduate and likes the area.

During the conversation CHMIEL was extremely nervous, his hands were shaking, he was self grooming his fingers, and had a closed off body posture.

I then verbally gave CHMIEL notification that he is not to return to any [REDACTED] supported beaches, parks, or activities for the period of one year. He was also notified that he would have the opportunity to appeal the trespass order. CHMIEL stated he was embarrassed for the situation and would not return.

At approximately 11:15PM CHMIEL left the Wilmette Police Department without charges. Original Miranda form and photo-line up forms were submitted with this report.

Case closed.

RWOC

Routing:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

September 12, 2014

James M. Chmiel

[REDACTED]

Mr. Chmiel,

Based upon information provided to me by my staff and the Wilmette Police Department in regard to an incident at [REDACTED] on August 20, 2014, it appears that a violation of the Wilmette Park District Ordinances occurred. Therefore, per our ordinances, I am considering a one (1) year revocation of privileges of, including access to, all [REDACTED] facilities, parks and property.

Before this decision becomes final, I welcome you to provide me any relevant information I should consider by September 24, 2014. This information should be sent to me in writing, to my attention, at [REDACTED]. If I don't receive any information from you prior to the close of business on September 24, 2014, it will be considered to be an acceptance on your part of the one (1) year ban, and the decision will become final and the one (1) year period will commence on September 25, 2014 and run through the end of September 24, 2015.

Sincerely,

[REDACTED]

Executive Director

SW/cf

Bureau of Internal Affairs
General Investigations Section

Date: 22 Sep 2014
CL#1071212

To: Edwin Kaup
Lieutenant
Bureau of Internal Affairs

From: Michael Parker
Sergeant
Bureau of Internal Affairs

Subject: Telephone Contact

On 19 Sep 2014 at 0926 hours, the Reporting Sergeant attempted to contact victim [REDACTED] at cell # [REDACTED] and work # [REDACTED] with negative results. The Reporting Sergeant left a voice message.

On 19 Sep 2014 at 0928 hours, the Reporting Sergeant contacted victim, [REDACTED] at cell # [REDACTED] who related that she did not have time to proceed with the investigation because she was in school. [REDACTED] related that she was satisfied with the current outcome in that the Wilmette Police Department and Park District banned the accused, Officer Chmiel, from the [REDACTED] for a period of one year.

On 19 Sep 2014 at 0953 hours, the Reporting Sergeant attempted to contact victim's, [REDACTED] parents at cell phone [REDACTED] and home # [REDACTED] with negative results. The Reporting Sergeant left a voice message.

On 19 Sep 2014 at 0956 hours, the Reporting Sergeant attempted to contact victim, [REDACTED] at phone [REDACTED] with negative results. The Reporting Sergeant left a voice message.

On 22 Sep 2014 at 0930 hours, the Reporting Sergeant contacted [REDACTED] (father of victim [REDACTED] 17 yoa) who related that he did not want to pursue this investigation because of its sensitive nature and the fact that his daughter is a juvenile.

On 22 Sep 2014 at 1040 hours, the Reporting Sergeant attempted to contact victims, [REDACTED] via the phone numbers listed above with negative results. The Reporting Sergeant left a voice message.

On 22 Sep 2014 at 1100 hours, victim, [REDACTED] returned the telephone call at which time the Reporting Sergeant explained to her that if she wanted to continue this investigation, she needed to sign a Sworn Affidavit and agree to a formal interview. The Reporting Sergeant also informed Bradford that a Request for Interview

Bureau of Internal Affairs
General Investigations Section

Date: 22 Sep 2014
CL#1071212

Certified Letter was mailed to her residence and if she doesn't contact the Reporting Sergeant within ten days upon receipt of the letter, this investigation will be closed.

██████ stated that she needed time to think about whether she wanted to pursue this investigations and stated that she would be in contact with the Reporting Sergeant within a couple of days regarding her decision.

Michael Parker
Sergeant
Bureau of Internal Affairs

Electronically Approved



Department of Police * City of Chicago
3510 South Michigan Avenue * Chicago, Illinois 60653

Date 22 Sep 2014

Re: C. L. No. 1071212

Dear [REDACTED]

A complaint against a Department member, registered under the above Complaint Log (C.L.) Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

Please contact me as soon as possible so that I can make arrangements to meet with you regarding the incident under investigation. The following information is provided so that you can contact me without unnecessary inconvenience:

Name: Sergeant M. Parker #1295

Address: 3510 S. Michigan Ave

Telephone: (312) 745-6310, Ext. 85069

Hours Available: Mon - Fri 8:00AM - 4:00PM

Sincerely,

A handwritten signature in black ink, appearing to read "Sgt M. Parker", written over a horizontal line.

CPD-44.223 (REV. 4/12)

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Sgt. M. Parker 1295



City of Chicago
Department of Police
3510 South Michigan Avenue
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Sgt. M. Parker 1295

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Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

PS Form 3800, August 2006



Department of Police * City of Chicago
3510 South Michigan Avenue * Chicago, Illinois 60653

Date 22 Sep 2014

Re: C. L. No. 1071212

Dear [REDACTED]

A complaint against a Department member, registered under the above Complaint Log (C.L.) Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

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Address: 3510 S. Michigan Ave

Telephone: (312) 745-6310, Ext. 85069

Hours Available: Mon - Fri 8:00AM - 4:00PM

Sincerely,

A handwritten signature in black ink, appearing to read "Sgt Michael R", written over a horizontal line.

CPD-44.223 (REV. 4/12)

Emergency and TTY: 9-1-1 * Non-Emergency and TTY: (Within City limits) 3-1-1 * Non-Emergency and TTY: (Outside City limits) 312-746-6000

* E-mail: clearpath@chicagopolice.org * Website: www.chicagopolice.org

CPD 0324420

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24



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Department of Police * City of Chicago
3510 South Michigan Avenue * Chicago, Illinois 60653

Date 22 Sep 2014

Re: C. L. No. 1071212

Dear [REDACTED]

A complaint against a Department member, registered under the above Complaint Log (C.L.) Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

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Address: 3510 S. Michigan Ave

Telephone: (312) 745-6310, Ext. 85069

Hours Available: Mon - Fri 8:00AM - 4:00PM

Sincerely,

A handwritten signature in black ink, appearing to read "Sgt M. Parker", written over a horizontal line.

CPD-44.223 (REV. 4/12)

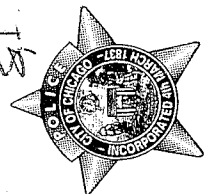
Emergency and TTY: 9-1-1 * Non-Emergency and TTY: (Within City limits) 3-1-1 * Non-Emergency and TTY: (Outside City limits) 312-746-6000

* E-mail: clearpath@chicagopolice.org * Website: www.chicagopolice.org

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City	
PS Form 3800, August 2004	
for Instructions	



Department of Police * City of Chicago
3510 South Michigan Avenue * Chicago, Illinois 60653

Date 22 Sep 2014

Re: C. L. No. 1071212

Dear [REDACTED]

A complaint against a Department member, registered under the above Complaint Log (C.L.) Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

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Name: Sergeant M. Parker #1295

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Telephone: (312) 745-6310, Ext. 85069

Hours Available: Mon - Fri 8:00AM - 4:00PM

Sincerely,

A handwritten signature in black ink, appearing to read "Sgt Michael Parker", written over a horizontal line.

CPD-44.223 (REV. 4/12)

Emergency and TTY: 9-1-1 * Non-Emergency and TTY: (Within City limits) 3-1-1 * Non-Emergency and TTY: (Outside City limits) 312-746-6000

* E-mail: clearpath@chicagopolice.org * Website: www.chicagopolice.org

CPD 0324424

Sgt. M. Parker 1295



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Tracking Number

Product & Tracking Information

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DATE & TIME	STATUS OF ITEM	LOCATION
September 24, 2014 , 5:05 pm	Notice Left (No Authorized Recipient Available)	
We attempted to deliver your item at 5:05 pm on September 24, 2014 in and a notice was left because an authorized recipient was not available. You may arrange redelivery by visiting http://www.usps.com/redelivery or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice. If this item is unclaimed after 15 days then it will be returned to the sender. Information, if available, is updated periodically throughout the day. Please check again later.		
September 24, 2014 , 12:26 pm	Notice Left (No Authorized Recipient Available)	
September 24, 2014 , 8:52 am	Arrived at Unit	
September 24, 2014 , 2:17 am	Arrived at USPS Facility	
September 23, 2014 , 7:06 pm	Arrived at USPS Facility	

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DATE & TIME	STATUS OF ITEM	LOCATION
September 25, 2014 , 11:03 am	Notice Left (No Authorized Recipient Available)	
We attempted to deliver your item at 11:03 am on September 25, 2014 in [REDACTED] and a notice was left because an authorized recipient was not available. You may arrange redelivery by visiting http://www.usps.com/redelivery or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice. If this item is unclaimed after 15 days then it will be returned to the sender. Information, if available, is updated periodically throughout the day. Please check again later.		
September 25, 2014 , 8:05 am	Arrived at Unit	
September 25, 2014 , 6:03 am	Departed USPS Facility	
September 24, 2014 , 8:31 pm	Arrived at USPS Facility	
September 24, 2014 , 5:31 am	Departed USPS Facility	
September 23, 2014 , 7:06 pm	Arrived at USPS Facility	

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Features:
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TRACKING HISTORY		
September 25, 2014 , 5:53 pm	Delivered	[REDACTED]
Your item was delivered at 5:53 pm on September 25, 2014 in WILMETTE, IL 60091.		
September 25, 2014 , 9:49 am	Available for Pickup	[REDACTED]
September 25, 2014 , 8:05 am	Arrived at Unit	
September 25, 2014 , 6:03 am	Departed USPS Facility	
September 24, 2014 , 8:31 pm	Arrived at USPS Facility	
September 24, 2014 , 5:31 am	Departed USPS Facility	
September 23, 2014 , 7:06 pm	Arrived at USPS Facility	

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Tracking Number: [REDACTED]

Product & Tracking Information

Postal Product:

Features:
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DATE & TIME	EVENT	LOCATION
September 27, 2014 , 9:50 am	Delivered	[REDACTED]
Your item was delivered at 9:50 am on September 27, 2014 in WILMETTE, IL 60091.		
September 25, 2014 , 3:34 pm	Notice Left (No Authorized Recipient Available)	[REDACTED]
September 25, 2014 , 8:05 am	Arrived at Unit	
September 25, 2014 , 6:03 am	Departed USPS Facility	
September 24, 2014 , 8:31 pm	Arrived at USPS Facility	
September 24, 2014 , 5:31 am	Departed USPS Facility	
September 23, 2014 , 7:06 pm	Arrived at USPS Facility	

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Bureau of Internal Affairs
General Investigations Section

Date: 09 October 2014
CL#1071212

To: Juan Rivera
Chief
Bureau of Internal Affairs

From: Michael PARKER
Sergeant
Bureau of Internal Affairs

Subject: Request for Psychological Evaluation

Due to the nature surrounding Log #1071212, the Reporting Sergeant respectfully request that Officer James M. Chmiel, star #13198, be submitted for mental / psychological evaluation.


Michael Parker
Sergeant
Bureau of Internal Affairs

COPY

Bureau of Internal Affairs

14 October 2014

TO: Eugene E. Williams
Chief
Bureau of Administration

ATTN: Donald O'Neill
Acting Director
Human Resources Division

FROM: Juan J. Rivera
Chief
Bureau of Internal Affairs

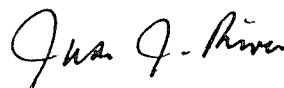
SUBJECT: **PO James M. Chmiel #13198**
FITNESS FOR DUTY EVALUATION REQUEST

In August 2014, Complaint Log Number 1071212 was generated when it was determined that PO James M. Chmiel #13198 was under investigation by the Wilmette Police Department for an incident which occurred while PO Chmiel was off-duty. The incident involves an offense allegation of public indecency.

Due to the nature of the allegation, it is requested that PO Chmiel undergo a Fitness for Duty Evaluation.

Please note that, at this time, PO Chmiel is not relieved of police powers by the Bureau of Internal Affairs.

Any questions related to Complaint Log Number 1071212 should be directed to Sgt. Michael Parker, Bureau of Internal Affairs at [REDACTED]



Juan J. Rivera
Chief
Bureau of Internal Affairs

Attachment
JJR/cc

COPY

CPD 0324431

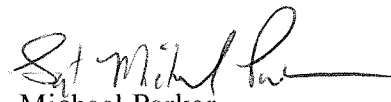
To: Juan Rivera
Chief
Bureau of Internal Affairs

From: Michael Parker
Sergeant
Bureau of Internal Affairs

Subject: **Officer James M. Chmiel #13198**
FITNESSS FOR DUTY EVALUATION REQUEST

On 20 Aug 2014 at 1905 hours at [REDACTED] in [REDACTED] off duty police officer, James Chmiel, star #13198, indulged in inappropriate conduct in that he deliberately exposed himself to victims, [REDACTED] while standing naked in an open doorway in the men's public bathroom. The victims stated that while standing naked in the doorway of the bathroom he starred at them for an extended period of time which made them feel uneasy and uncomfortable.

Due to the nature of the allegation, it is requested that Officer Chmiel undergo a Fitness for Duty Evaluation.


Michael Parker
Sergeant
Bureau of Internal Affairs

BUREAU OF INTERNAL AFFAIRS
General Investigations

27 Oct 2014
Log #1071212

To: Commanding Officer, Edwin Kaup
Lieutenant
Bureau of Internal Affairs

From: Michael K. Parker
Sergeant
Bureau of Internal Affairs

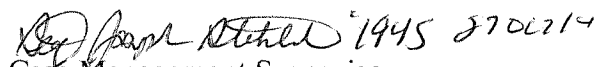
Subject: Completion of Log Number 1071212

The attached Complaint Log Investigation has been completed and submitted for your approval.



Michael K. Parker
Sergeant
Bureau of Internal Affairs

Approved:



Case Management Supervisor
Sergeant
Bureau of Internal Affairs

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1071212TYPE
INFODATE OF REPORT
27-OCT-2014

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
PARKER, MICHAEL	9171	1295		121	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 101 LAKE, WILMETTE, IL	DATE / TIME 20-AUG-2014 19:08	BEAT: 3100
--	-------------------------------	------------

ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
CHMIEL, JAMES M	9161	13198		050		M / WHI		25-JAN-1988	NO	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
O BRIEN, THOMAS	RANK: 9173, STAR NO: 795, EMP NO		Bad Phone No:	M / WHI	/ 49
COLLINS, PATRICK				M / WHI	/

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				F / WHI	/ 32
				F / WHI	/ 19
				F / WHI	/ 17
				F / WHI	/ 18

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
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* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

NOTE: Log "Type" remains classified Info-Sworn Affidavit NOT on file.

See Page 3

SUMMARY

See Pages 3-5

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
0	0	0	13

FINDINGS - RECOMMENDATIONS

See Page 5

DATE INITIATED
(Date incident was received for investigation)

28-AUG-2014

DATE COMPLETED (Date of this report)

08-OCT-2014

ELAPSED TIME
(Total time expressed in days)

60

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE



IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

CPD 0324435

SUMMARY REPORT DIGEST
Chicago Police Department

Log No.
1071212

Type
CR

Date of Report
27 Oct-2014

ALLEGATIONS:

Accused: Officer James Chmiel, Star #13198, Employee [REDACTED] Assigned Unit 050

It is alleged by the Reporting Third Party, Lt. Thomas O'Brien #795, that on 20 Aug 2014 at 1905 hours at [REDACTED] located at [REDACTED] off duty police officer, James Chmiel, indulged in inappropriate conduct in that he deliberately exposed himself to victim [REDACTED] while standing naked in an open doorway in the men's public bathroom.

Accused: Officer James Chmiel, Star #13198, Employee [REDACTED] Assigned Unit 050

It is alleged by the Reporting Third Party, Lt. Thomas O'Brien #795, that on 20 Aug 2014 at 1905 hours at [REDACTED] located at [REDACTED] off duty police officer, James Chmiel, indulged in inappropriate conduct in that he deliberately exposed himself to victim [REDACTED] while standing naked in an open doorway in the men's public bathroom.

Accused: Officer James Chmiel, Star #13198, Employee [REDACTED] Assigned Unit 050

It is alleged by the Reporting Third Party, Lt. Thomas O'Brien #795, that on 20 Aug 2014 at 1905 hours at [REDACTED], located at [REDACTED] off duty police officer, James Chmiel, indulged in inappropriate conduct in that he deliberately exposed himself to victim, [REDACTED] while standing naked in an open doorway in the men's public bathroom.

Accused: Officer James Chmiel, Star #13198, Employee [REDACTED] Assigned Unit 050

It is alleged by the Reporting Third Party, Lt. Thomas O'Brien #795, that on 20 Aug 2014 at 1905 hours at [REDACTED] located at [REDACTED] off duty police officer, James Chmiel, indulged in inappropriate conduct in that he deliberately exposed himself to victim [REDACTED] while standing naked in an open doorway in the men's public bathroom

SUMMARY:

On 28 Aug 2014 the Reporting Sergeant was assigned Log #1071212 for investigation, along with an Initiation Report from Lieutenant Thomas O'Brien #795, a redacted Wilmette Police Department Case Report and a To/From Subject Report from the accused, Officer James Chmiel #13198. Upon reviewing the Initiation Report it was alleged by Lieutenant Thomas O'Brien that on 20 Aug 2014 at 1905 hours at [REDACTED], located at [REDACTED] [REDACTED] off duty police officer, James Chmiel, indulged in inappropriate conduct in that he deliberately exposed himself to victims [REDACTED] while standing naked in an open doorway in the men's public bathroom (**Attachments 4, 5**).

On 02 Sep 2014 at 1045 hours, the Reporting Sergeant attempted contact Officer Cavanaugh at the Wilmette Police Department regarding the above allegation at which time he was unavailable. The Reporting Sergeant called the Wilmette Police Department back on 03 Sep 2014 and was transferred to Commander Patrick Collins' voice mailbox.

SUMMARY REPORT DIGEST
Chicago Police Department

Log No.
1071212

Type
CR

Date of Report
27 Oct-2014

On 10 Sep 2014 at 0930 hours, The Reporting Sergeant spoke with Commander Patrick Collins in reference to obtaining a copy of an un-redacted case report for the purpose of contacting the victims. Commander Patrick Collins appeared hesitant about releasing an un-redacted case report. Commander Patrick Collins stated that he had spoken to [REDACTED] who is the father of victim [REDACTED] who stated that he did not want to pursue the complaint because his daughter is a juvenile. Commander Patrick Collins also stated that victims, [REDACTED] were not interested in pursuing the allegation because they were young college students at [REDACTED]. Commander Patrick Collins stated that he would get in contact with victim, [REDACTED] who is a [REDACTED] employee and have her call the Reporting Sergeant.

Commander Patrick Collins stated that no charges were filed against off-duty Chicago Police Officer, James Chmiel, but he was given a trespass warning not to return to [REDACTED] for a period of one year. Commander Patrick Collins expressed to the Reporting Sergeant that all victims were content with the Wilmette Police Department's handling of the incident and did not want to pursue this matter any further.

On 12 Sep 2014 at 1140 hours, the Reporting Sergeant spoke with Commander Patrick Collins of the Wilmette Police Department and explained to him the importance of receiving an un-redacted case report so that a thorough investigation can be conducted at which time Commander Patrick Collins stated that he would have to talk to his Deputy Chief Murphy before releasing the report.

On 14 Sep 2014 the Reporting Sergeant received an email from Commander Patrick Collins containing [REDACTED] (victim, [REDACTED] father) cell phone number and a copy of the un-redacted case report.

On 19 Sep 2014 at 0926 hours, the Reporting Sergeant attempted to contact victim, [REDACTED], at cell phone number [REDACTED] with negative results. On 22 Sep 2014 at 1100 hours [REDACTED] returned the phone call at which time she related that she needed time to think about whether she wanted to pursue the complaint. [REDACTED] stated that she would contact the Investigating Sergeant within a couple of days with her decision. A certified interview letter was sent to [REDACTED]'s residence following the conversation (**Attachments 8, 9**).

On 19 Sep 2014 at 0928 hours, the Reporting Sergeant contacted victim, [REDACTED] at cell number [REDACTED] who related that she did not have time to proceed with this investigation because she was back in school. [REDACTED] expressed that she was satisfied with the current outcome in that the Wilmette Police Department and the [REDACTED] banned the accused, Officer Chmiel, from returning to the [REDACTED] for a year. A certified letter was sent to [REDACTED] residence following the conversation (**Attachments 7, 8, 9**).

On 19 Sep 2014 at 0956 hours, the Reporting Sergeant attempted to contact victim, [REDACTED] parents at cell number [REDACTED] and home phone number [REDACTED] with negative results. On 22 Sep 2014 at 0930 the Reporting Sergeant contacted [REDACTED] (father) at [REDACTED] who related that he did not want to pursue this investigation

SUMMARY REPORT DIGEST
Chicago Police Department

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because of it's sensitive nature and the fact that his daughter is a juvenile. A certified letter was sent to [REDACTED] (father) residence following the conversation (**Attachments 8, 9**).

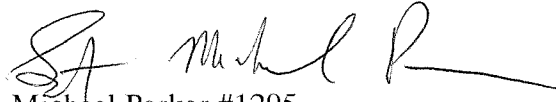
On 19 Sep 2014 at 0956 hours and on 22 Sep 2014 at 1040 hours, the Reporting Sergeant attempted to contact victim, Laura David, with negative results. A certified letter was sent to [REDACTED] residence following the conversation on 19 Sep 2014 (**Attachments 8, 9**).

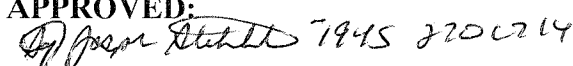
The Reporting Sergeant ran a USPS Track and Confirm which indicated that the certified letters was delivered to each of the victim's residence. It has been more than ten (10) days to this date since the certified letters were delivered to each victim's residence. To this date, neither of the victims has made a valid attempt to contact the Reporting Sergeant regarding this investigation. In the absence of a signed sworn affidavit and without the cooperation from any of the victims, this investigation can not continue. It is, therefore, requested that this case be **CLOSED NO CONVERSION (Attachment 10)**.

Due to the nature of the allegation, the Reporting Sergeant requested that Officer Chmiel undergo a Fitness for Duty Evaluation / Physiological Evaluation (**Attachment 11-13**).

FINDINGS-RECOMMENDATIONS

ACCUSED: Officer James Chmiel, Star #13198, Employee [REDACTED] Unit 050
FINDINGS: No Sworn Affidavit
RECOMMENDATIONS: None, case to be closed


Michael Parker #1295
Sergeant
Bureau of Internal Affairs

APPROVED:

Case Management Supervisor
Sergeant
Bureau of Internal Affairs

Summary Report Digest Attachment List CL-1071212

No.	Type	No. of Pages	Narrative
1	FACE SHEET		
2	CONFLICT CERTIFICATION		
4	INITIATION REPORT	5	From Lt. O'Brien, #795 Unit 050; includes redacted Wilmette PD report
5	REPORT (OTHER)	2	To/From from Commander Argenbright and Officer Chmiel
6	REPORT (OTHER)	4	Wilmette Police Dept Case Report
7	REPORT (OTHER)	1	Wilmette Park District Letter to Officer Chmiel
8	TELEPHONE CONTACT	2	Telephone Contact/Attempt to Contact
9	LETTER TO VICTIM	8	Certified Letters to Victims
10	U.S.P.S. (USPS) TRACKING REPORT	4	USPS Track and Confirm
11	REPORT (OTHER)	1	Request for Fitness for Duty from Sgt Parker
12	REPORT (OTHER)	1	Request for Fitness for Duty To/From from Chief Rivera
13	REPORT (OTHER)	1	Request for Fitness for Duty from Sergeant Parker